

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RALPH H. JURJENS III,

Plaintiff,

v.

MICHAEL DITTMAN, et al.

Defendants.

ORDER

Case No. 20-cv-317-jdp

On April 2, 2020, I assessed plaintiff Ralph H. Jurjens III an initial partial payment of \$204.92 due by April 23, 2020. Now plaintiff has submitted a letter, which I construe as a motion for an order requiring disbursement of \$204.92 from plaintiff's release account to make the initial partial payment of the filing fee. Plaintiff's general trust fund account lacks sufficient funds, and plaintiff seeks an order requiring disbursement of \$204.92 from plaintiff's release account.

Pursuant to 28 U.S.C. § 1915(b)(1), prison officials are required to use a prisoner's release account to satisfy an initial partial payment if no other funds are available. *Carter v. Bennett*, 399 F. Supp. 2d 936, 936-37 (W.D. Wis. 2005). However, plaintiff may only use release account funds to pay the \$204.92 initial partial payment, not the full \$350.00 filing fee.

ORDER

IT IS ORDERED that prison officials are directed to disburse \$204.92 from plaintiff's release account for payment of the initial partial filing fee. Plaintiff's initial partial filing fee is due by April 23, 2020.

Entered this 2nd day of April, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge